

February 1, 2022

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**  
**DIVISION II**

STATE OF WASHINGTON,

Respondent,

v.

GABRIEL INDELICIO NEVAREZ,

Appellant.

No. 54259-5-II

**ORDER WITHDRAWING OPINION  
AND STAYING APPEAL**

The unpublished opinion in this case was filed on November 16, 2021. The State has filed a motion for reconsideration. Upon consideration, the court withdraws its opinion. This appeal will be stayed pending the Supreme Court's decision in *In re Personal Restraint Petition of Antoine Davis*, Supreme Court No. 98340-2, scheduled for oral argument on February 24, 2022. Therefore, it is

ORDERED that the November 16, 2021 opinion in this case is hereby withdrawn and the appeal is stayed pending the Supreme Court's decision in *Davis*. The court will issue a new opinion in due course.

PANEL: Jj. Maxa, Lee, Cruser

FOR THE COURT:

  
MAXA, J.